

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

SAUL CHILL and SYLVIA CHILL, for
the use and benefit of the CALAMOS
GROWTH FUND,

Plaintiffs,

v.

CALAMOS ADVISORS LLC and
CALAMOS FINANCIAL SERVICES LLC,

Defendants.

No. 15-cv-01014 (ER)

ECF CASE

NOTICE OF MOTION TO DISMISS

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law (dated June 12, 2015), the annexed Declaration of David A. Kotler (dated June 12, 2015) and all exhibits thereto, Defendants Calamos Advisors LLC and Calamos Financial Services LLC will move this Court before the Honorable Edgardo Ramos, at the United States Courthouse, 40 Foley Square, New York, New York 10007, at a time and date to be determined by the Court, for the entry of an Order pursuant to Federal Rule of Civil Procedure 12(b)(6), dismissing with prejudice all claims asserted against Defendants in the Complaint, and for such other and further relief as this Court may deem just and proper.

Defendants respectfully request that oral argument be heard on this Motion.

Dated: June 12, 2015
New York, New York

Respectfully submitted,

DECHERT LLP

/s/ Matthew L. Larrabee

Matthew L. Larrabee

David A. Kotler

Catherine V. Wigglesworth

Jocelyn V. Hanamirian

Melanie MacKay

1095 Avenue of the Americas

New York, NY 10036-6797

Telephone: (212) 698-3500

*Counsel for Defendants Calamos Advisors
LLC and Calamos Financial Services LLC*

CERTIFICATE OF SERVICE

I hereby certify that on June 12, 2015, a true and correct copy of the foregoing Notice of Motion to Dismiss, along with the accompanying Memorandum of Law in Support of Defendants' Motion to Dismiss, Declaration of David A. Kotler in Support of Defendants' Motion to Dismiss, and Proposed Order, was served electronically via the Court's Electronic Case Filing system on the following:

Ira Press
Kirby McInerney LLP
825 Third Ave., 16th Fl.
New York, NY 10022
ipress@kmlp.com

/s/ David A. Kotler
David A. Kotler